

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34645 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- MIRGANJ District- Purnia

RAHUL KUMAR Son of Lalu Singh @ Lalo Singh R/o Kamasthan Begna
Tola, PS- Maranga (K.Hat) Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code.

As per prosecution case, all the FIR named accused persons including the petitioner with a conspiracy had taken away the son of the informant to see fair of Kalash Yatra at Pir Mokam Rahta but on 14.02.2022 the informant got information that the dead body of her son was lying Bishari Asthan South of Libri Pool and thereafter she proceeded to the place of occurrence where she identified the dead body of her son namely, Pintu Kumar.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case merely on suspicion. General and omnibus allegation has been levelled against the petitioner. As per allegation in the F.I.R., the petitioner was the person who was last seen with the deceased. During investigation, no other cogent material has come against the petitioner which shows his involvement in the present occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused namely, Bhola Kumar has already been enlarged on bail by another coordinate Bench of this Court vide order dated 22.03.2023 passed in Cr. Misc. No.47121 of 2022. The petitioner is languishing in judicial custody since 09.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mirganj P.S. Case No. 24 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea.

(Sunil Kumar Panwar, J)

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